

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: KIM C. NELSON-GRIFFIN  
Debtor(s)

CHARLES J. DEHART, III  
CHAPTER 13 TRUSTEE

Movant

vs.

KIM C. NELSON-GRIFFIN  
Respondent(s)

CHAPTER 13

CASE NO: 5-18-04383-RNO

**TRUSTEE'S MOTION TO DISMISS CASE**

AND NOW, on March 27, 2019, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, by and through his attorney Agatha R. McHale, Esquire, and respectfully represents the following:

1. A Plan was filed on November 7, 2018.
2. A hearing was held and an Order was entered on January 23, 2019 directing that an amended plan be filed within thirty (30) days.
3. As of the date of this Motion, an amended plan has not been filed.
4. The delay in filing a confirmable plan in this case is prejudicial to creditors.

WHEREFORE, your Trustee respectfully requests your Honorable Court dismiss the case upon the basis that Debtors have failed to propose a confirmable plan.

Respectfully submitted,

s/ Agatha R. McHale, Esq.

Id: 47613

Attorney for Trustee

Charles J. DeHart, III

Standing Chapter 13 Trustee

Ste. A, 8125 Adams Drive

Hummelstown, PA 17036

Ph. 717-566-6097

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IN RE: KIM C. NELSON-GRIFFIN

CHAPTER 13

Debtor(s)

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CHAPTER 13 TRUSTEE  
Movant

CASE NO: 5-18-04383-RNO

**NOTICE**

NOTICE IS HEREBY GIVEN that Charles J. DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania has filed a Motion to Dismiss for failure to file a confirmable Chapter 13 Plan.

YOU ARE HEREBY NOTICED that a hearing has been scheduled on this matter for:

U.S. Bankruptcy Court  
Max Rosenn U.S. Courthouse  
Courtroom #2  
197 S. Main Street  
Wilkes Barre, PA

Date: April 17, 2019

Time: 09:30 AM

Any objection or response filed must be filed with the Clerk, U.S. Bankruptcy Court and served on the Chapter 13 Trustee.

Charles J. DeHart, III, Trustee  
8125 Adams Drive, Suite A  
Hummelstown, PA 17036  
Phone: (717) 566-6097  
Email: [dehartstaff@pamd13trustee.com](mailto:dehartstaff@pamd13trustee.com)

Dated: March 27, 2019

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Debtor(s)

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Respondent(s)

**CERTIFICATE OF SERVICE**

I certify that I am more than 18 years of age and that on March 27, 2019, I served a copy of this Motion to Dismiss, Notice and Proposed Order on the following parties by 1<sup>st</sup> Class mail, unless served electronically.

JOHN J. MARTIN, ESQUIRE  
1022 COURT STREET  
HONESDALE, PA 18431-

Served electronically

United States Trustee  
228 Walnut Street  
Suite 1190  
Harrisburg, PA 17101

Served electronically

KIM C. NELSON-GRIFFIN  
2111 LAUREL COURT  
BUSHKILL, PA 18324

Served by 1<sup>st</sup> Class Mail

I certify under penalty of perjury that the foregoing is true and correct.

Date: March 27, 2019

Respectfully,  
Vickie Williams  
for Charles J. DeHart, III, Trustee  
Suite A, 8125 Adams Dr.  
Hummelstown, PA 17036  
Phone: (717) 566-6097  
eMail: [dehartstaff@pamd13trustee.com](mailto:dehartstaff@pamd13trustee.com)

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Debtor(s)	CHAPTER 13
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**ORDER DISMISSING CASE**

Upon consideration of the Trustee's Motion to Dismiss, it is hereby Ordered that the above-captioned bankruptcy be and hereby is dismissed.